

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 2, and 4-13 are presently pending in this case. Claims 5-13 were previously withdrawn from consideration. Claims 1 and 2 are amended by the present amendment. Amended Claims 1 and 2 are supported by the specification.<sup>1</sup> Amended Claims 1 and 2 add no new matter.

In the outstanding Official Action, Claims 1 and 2 are rejected under 35 U.S.C. §103(a) as being unpatentable over either Nagase et al. (U.S. Patent No. 4,894,202, hereinafter “Nagase '202”) or Nishino et al. (U.S. Patent No. 4,927,598, hereinafter “Nishino”) in view of Nagase et al. (U.S. Patent No. 5,398,269, hereinafter “Nagase '269”). Claim 4 is rejected under 35 U.S.C. §103(a) as being unpatentable over either Nagase '202 or Nishino in view of Nagase '269 and further in view of Honda et al. (U.S. Patent No. 4,828,790, hereinafter “Honda”).

With regard to the rejection of Claim 1 under 35 U.S.C. §103(a) as unpatentable over Nagase '202 or Nishino in view of Nagase '269, the outstanding Office Action stated:

... The claim language "up to 1/4.4" means a range extending from zero to 1/4.4. A zero value means no reduction of the amount of nickel in system water supplied into the reactor. This lowest value of the claimed range permits either non-performance or non-inclusion of the specified process step. Any one of applied art, i.e., Nagase '202, Nishino, and Nagase '269, meets the added claim limitation because each meets the lowest value of the claimed range, and therefore anticipates the entire range of zero to 1/4.4. . .

*Applicant alleges that none of Nagase '202, Nishino, or Nagase '269 has a teaching or suggestion of the added step limitation. The Examiner agrees.* However, as stated above, absence of such step in Nagase '202, Nishino, or Nagase '269 does not preclude any one of them from meeting claim 1.<sup>2</sup> (Emphasis added.)

<sup>1</sup> See specification at page 15, lines 9-18 and page 19, lines 12-15.

<sup>2</sup> Office Action, page 2, line 13 to page 3, line 4.

Accordingly, independent Claim 1 is amended to recite, "reducing and limiting the amount of nickel in system water supplied into the nuclear reactor to less than 5/22 of an original amount of nickel in system water supplied into the nuclear reactor so that that a total amount of iron generated is at least twice as much as a total amount of nickel generated."

Amended Claim 1 now clearly recites a non-zero reduction of the original amount of nickel in system water supplied into the nuclear reactor. Since the outstanding Office Action concedes that this "added step" is neither taught nor suggested by the cited references, it is respectfully submitted that Claim 1 is patentable over the cited references.

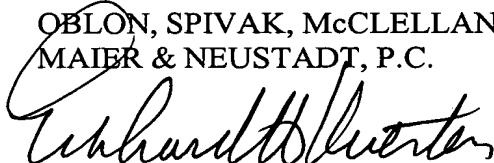
Claim 2 is dependent from Claim 1, and is thus considered to be patentable over the cited references for at least the reasons discussed above with respect to Claim 1. In addition, Claim 2 is amended to recite "reducing and limiting an amount of nickel generated from fuel springs to less than 1/2 an original amount of nickel generated from fuel springs." It is respectfully submitted that none of the cited references teach or suggest this element. Accordingly, it is respectfully submitted that Claim 2 is patentable over the cited references.

Claim 4 is dependent from Claim 1, with is believed to be patentable over the cited references. It is respectfully submitted that Claim 4 is also patentable over the cited references.

Accordingly, the outstanding rejections are traversed and the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters  
Attorney of Record  
Registration No. 28,870

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/03)